

**APPROVED MINUTES**  
**Idaho Soil Conservation Commission**  
**2270 Old Penitentiary Road**  
**Boise, Idaho**

The Idaho Soil Conservation Commission (ISCC) held its regular, bi-monthly meeting on Monday, March 15, 2004 in Lower Conference Rooms 1 and 2 at the Idaho State Department of Agriculture (ISDA) office in Boise, Idaho.

Members:                Jerry Reid, Chairman  
                              Bill Whitton, Vice-Chairman  
                              J. Morgan Evans, Secretary  
                              Gary Grindstaff, Member  
                              Tom Johnston, Member

Advisors:                Kyle Hawley, Idaho Association Soil Conservation Districts (IASCD)

Advisors :                Paul McCawley, University of Idaho (U of I)  
not present               Rich Sims, Natural Resources Conservation Service (NRCS)

Others:                   Jerry Nicolescu, ISCC  
                              Brenda Thomasson, ISCC  
                              Jennifer Ambrose, ISCC  
                              Biff Burleigh, ISCC  
                              Tony Bennett, ISCC  
                              David Ferguson, ISCC  
                              Pat McCoy, Capital Press  
                              Sharon Kinzer, Idaho District Employees Association  
                              Gary Bahr, ISDA  
                              Mike Everett, ISDA  
                              Pat Takasugi, ISDA  
                              Gary McRae, Environmental Protection Agency  
                              John Orr, Idaho State Pesticide Management  
                              Commission  
                              Roger Stutzman  
                              Kathy Weaver

**Welcome/Announcements**

Chairman Reid called the meeting to order at 8:58 A.M. and welcomed everyone to the meeting. Reid began by thanking Commission staff for pulling together in such trying times and noted all were to be commended for their efforts. Chairman Reid welcomed Roger Stutzman and Kathy Weaver to the meeting.

**Minutes**

Secretary Evans was asked to review minutes from the January 12-13, 2004 Commission meeting. A few minor grammar and typographical errors were noted for correction. Grindstaff made specific issue of statements he had made regarding ISDA's PIO position, which is supported financially by the Commission. As submitted, the minutes simply summarized the PIO discussion, including the hiring of Kathy Sodhi from more than 60 applicants; however, Grindstaff requested that his point of view be on record. Specifically, Grindstaff asked about the percent of time that the PIO will be contributing to the SCC. Everett stated that he believed twenty-five percent of the PIO's time and salary would be available to the Commission. It was later clarified that 30% of the PIO's time would be paid for by the Commission. Grindstaff also stated that he felt it was important that the Commission receive adequate service for the time being paid for.

## **Financial Reports**

### *General Fund Expenses*

Thomasson reported on FY 2004 General Fund expenses. She distributed a summary report of expenditures with data current as of December 31, 2003. Thomasson explained that due to Coburn's departure and Brian Gardner's resignation, there were significant cost savings in personnel. After obtaining approval from Jane McClaran, Division of Fiscal Management, the decision was made to move a portion of the salary savings into capitol outlay. Grindstaff asked if any part of this funding could be used to purchase new vehicles. Thomasson indicated that vehicle purchases were not feasible at this time. She also noted that while the Commission has not been able to upgrade any vehicles in its fleet, NRCS and IASCD have been of great assistance in this area. With no further discussion, Grindstaff moved to approve the financial report. Johnston seconded and the motion carried.

### *Resource Conservation and Rangeland Development Program (RCRDP) Fiscal Report*

Thomasson presented the RCRDP fiscal report. All members were appreciative of the efforts made by the support staff to handle RCRDP duties. The RCRDP financial report was distributed and with little discussion, Whittom moved to approve the report. Johnston seconded and the motion passed.

## **Idaho State Land and Soil Evaluation Event – Funding request**

Thomasson presented a funding request from Idaho State Land and Soil Evaluation Event. Before the request could be evaluated, discussion was interrupted to hear from John Orr, Chairman of the Idaho State Pesticide Management Commission. Chairman Reid welcomed ISDA Director, Pat Takasugi to the meeting.

## **Idaho State Pesticide Management Commission – Funding request**

Orr gave a brief history of the ISPMC and went on to detail the nature of their funding. ISPMC's primary functions include cooperative research efforts, efficacy studies,

implementation of IPM (Integrated Pest Management, an ISDA program), and provision of pass-through funding for pesticide residue and lab analysis for minor crops and minor crop uses. Orr noted all of their grant recipients are required to cost-share at a rate of 50%.

Orr indicated they have received a one-time specialty crop grant from ISDA in the amount of \$100,000 and the ISPMC depends on such grants. Orr presented a grant application from the University of Idaho's Idaho Falls R & E center. He indicated it was not a grant they were able to fund as it fell outside their specified parameters. That said, Orr solicited funding from ISCC and asked if we had monies available, we should direct them to the ISPMC, rather than to U of I directly, as this funding could be earmarked for a specific project but may also be used for administrative purposes. Chairman Reid thanked Orr for his presentation and indicated the Commission would discuss his request and notify him of the decision at a later time.

### **Mosman Grant**

McRae spoke to the Commission on the Mosman project/grant. He indicated while NRCS pulled out of the project a number of months ago, Mosman felt he could narrow the scope of the project and still make it work. McRae went on to report that with the withdrawal of Tribal monies, Mosman has decided to discontinue pursuit of this project.

There was some discussion on the Commission's commitment to the Mosman project. The Commission did approve a \$10,000 grant to the Mosman's contingent upon several conditions. Given the current situation, the Commission's conditions have not been met.

### **Agency Reports**

#### *ISDA Report*

Takasugi gave a status report for the ISDA. He touched upon several topics as noted below:

- Current legislative discussions on the meaning of "economically viable"
- Water quality
- Health implications of commercial fertilizers and pesticides.
- Air quality
- Field burning in the northern region of the state
- Potential non-attainment status of the Treasure Valley
- Site-advisory teams: DEQ, IDWR, ISDA staff

#### *IDEA Report*

Sharon Kinzer provided the Commission with the IDEA update. Highlights of the IDEA report are as follows:

- Efforts underway to hold a statewide workshop to promote professionalism in district employees.

- Input from IASCD Directors suggested that the IDEA meeting be held the day after their (IASCD Board) meeting so as to minimize travel time.
- Kinzer thanked Brenda Thomasson, Kathie Shea, Kathy Weaver, and Billie Brown for the time they spent putting together training for Division I. She noted that their training session was the foundation for a successful district employee.
- Funding for such training sessions comes from multiple sources: \$300 from the Commission, \$300 from NRCS, and \$100 from IDEA.

#### *NRCS Report*

In the absence of Rich Sims, who was in Washington D.C. at the time, Secretary Evans presented the NRCS report. A summary of the NRCS report is as noted:

- \$15.2 million in FY'04 for EQIP funding.
- \$2 million held back.
- OnePlan's Conservation Planning component will go statewide in July, 2004

There was some discussion of funding - McRae asked if EQIP funding was a decrease from anticipated funding – he noted an estimated figure of \$17 million. Nicolescu responded that this was an increase from last year's (FY 2003) funding.

#### *IASCD Report*

Kyle Hawley delivered IASCD's report. Primary topics are noted below:

- This year's IASCD Conference is scheduled for November 7-10, 2004 in Moscow, Idaho. The theme for this year is "Strengthening Locally Led Partnerships".
- IASCD's standing committees are being restructured and representatives from each division are encouraged to participate in each committee.
- Legislative Display was held at the Statehouse from 8 A.M. to 4:30 P.M. on February 24, 2004. Hawley noted the affair was successful, soliciting comments on this year's display and suggestions for next year's display. Several ideas were discussed, including "Pie Day" and the distribution of bottled water with the Commission's logo as the label.
- Envirothon will be held at the Living Waters Ranch in Challis, Idaho May 10-11, 2004.
- NezPerce SCD won a national award at the NACD conference in HI this year for their outreach program.
- NACD is looking at incorporating their logo with the Districts' movement for recognition.
- IASCD is working for form a foundation to receive outside donations that may be channeled to districts
- 40 out of 51 districts have paid dues
- HB 544, a revision of Idaho Code 39-36, will be before the Senate resources committee Tuesday, 3/16/2004.
- There was much discussion on HB 544 and how it originated from a resolution at Conference 2003 (made by Weiser River SCD) to a bill that requires WAGs have more input into the TMDLs that are sent to DEQ for approval. The Idaho Association of Commerce and Industry has had a hand in writing some amendments to the original bill. Nicolescu noted that he would like another

year to discuss the contents of the bill – solutions for DEQ to be able to work with local groups better.

- There was some discussion on the problem of attaining a quorum in standing committee meetings. Hawley indicated they are trying to institute a program whereby they can better communicate with members, such as a proxy system to appoint a replacement if a member cannot attend
- Lastly, as OnePlan is becoming a nationally recognized solution, a congressional line item request for OnePlan funding is being made.

#### *U of I CES Report*

Paul McCawley was unable to attend but did call Thomasson to indicate he would be sending a report. Thomasson distributed the U of I Extension Trends report on Agriculture and Natural Resources.

#### **Personnel Issues: Public Information Officer**

It was indicated some discussion regarding personnel issues was necessary. Given the nature of the discussion, Evans moved to enter into executive session pursuant to Idaho Code Section 67-2343. Johnston seconded. Roll call of members present: Chairman Reid – aye; Bill Whittom – aye; Morgan Evans – aye; Gary Grindstaff – aye; Tom Johnston – aye. Motion carried. Other individuals present included Jerry Nicolescu, Mike Everett, and Pat Takasugi. The Commission entered into executive session at 11:05 AM.

With no further personnel items to discuss, the Commission left executive session at 12:18 PM.

#### **ISDA Water Quality Programs Report**

Gary Bahr presented an update report on the ISDA water quality programs.

- Lance Holloway and other staff working with SCDs and the Commission to procure 303(d) grants
- Ground water staff has been working with the Gooding SCD on a nutrient management project to address nitrate concerns
- Mud Lake District has been encouraged to apply for DEQ 319 grants
- Staff members have been working with Eileen Rowan (ISCC Orofino field office) and the Lewis District on a ground water project
- Bahr reported the ISDA's web address: [www.idahoag.us](http://www.idahoag.us)

#### **TMDLs**

##### *Riparian Assessments*

David Ferguson presented a report of riparian assessments as related to TMDLs in 2003. Ferguson reported among the initial assessments completed were the Big Wood River, lower Succor Creek, Squaw Creek, Jump Creek, Camas Creek, and Deep Creek.

Riparian assessments, Ferguson noted, are a reach-by-reach inventory (in some cases pasture by pasture) of land management, stream channel characteristics, and vegetation. There was much discussion of the approach taken in riparian assessments and how the data is used. Ferguson demonstrated the depth of data collected and showed what kinds of visual aids may be created from this data.

#### *Staff and Program updates*

Tony Bennett brought the Commission up to date on changing staff. Brian Gardner accepted a position with NRCS. Jamie Davis, a new WQRC, began work in the Sandpoint office. Another new WQRC, Jes Erling, recently accepted a position in Idaho Falls.

Annual coordination meetings with DEQ are currently underway. So far, meetings have been held with the Lewiston, Twin Falls, and Idaho Falls offices. This week, meetings will be held with CDA and Pocatello DEQ. Implementation plan for the middle fork of the Payette was written by the Boise NRCS office with little input from the District or the Commission. Bennett plans to meet with NRCS in the near future.

Bennett distributed Agricultural TMDL Action Plan. He noted that since it is a dynamic document, meetings are held annually with cooperative groups (such as DEQ). He pointed out the biggest new change for 2004 is the reactivation of the Training and Outreach Committee. Starting the end of this month, training will begin on the BMP Effectiveness Evaluation Field Guide. Training sessions will include Commission and IASCD staff as well as key NRCS staff members.

#### **RCRDP Grant Application(s) Review**

Biff Burleigh distributed a summary of the fiscal status of the RCRDP grant program. The FY 2004 budget included \$100,000 for grants. Year-to-date expenditures thus far total \$68,583, which leaves a FY 2004 balance of \$31,417.

#### *Antelope Springs Ranch*

In a review of the Antelope Springs Ranch, it is noted EQIP monies are being used for the project as well as RCRDP grant monies. After discussing the percentage of applicant participation, Evans moved to approve the grant. Johnston seconded and the grant was approved in the amount of \$4,646.

#### *Patricia Englund*

The next grant presented was that of Patricia Englund. This individual also had submitted a loan application for the amount of \$22,600. There was some discussion regarding the amount being funded. Whittom moved to alter the amounts offered, reducing the grant to \$5,000, and raising the loan amount to \$27,600. Johnston seconded; however, in light of the loan application, Evans moved to table this grant application and discuss the loan and grant together. Tom seconded and the motion was approved.

*M. Harold Jenkins III*

M. Harold Jenkins III was the next grant application to be reviewed. Lengthy discussion ensued regarding amounts requested and the priority of certain types of practices. Evans moved to reduce the grant amount of \$5,000 and Johnston seconded. The grant was approved for \$5,000.

Gary McRae and Sharon Kinzer left the meeting at 3:05 pm

*Miller Land Company*

Miller Land Company's grant application was reviewed next. Johnston noted as he knew the applicants, he should abstain from the vote. Whittom moved to approve a grant in the amount of \$6,025 and Evans seconded. The motion passed with Grindstaff voting nay and Johnston abstaining.

*Glenn O'Dell*

All members having previously reviewed the grant summary, Grindstaff moved to approve the grant for Glenn O'Dell in the amount of \$4,505. Johnston 2nd. Approved without further discussion.

*Harris Farms*

Evans moved to approve the Harris Farms grant request for \$5,763. Johnston seconded. Approved without further discussion.

*Ray Tabor*

Grindstaff moved to deny the grant as concrete ditches do not last very long in Idaho's climate. The motion denied for lack of a second. Again, Johnston indicated he knew the applicant and would abstain from a vote. Whittom moved to approve and motion died due to lack of a second. Grindstaff moved to approve a grant in the amount of \$3,625. Whittom seconded and the motion passed.

*Clyde Ahrens*

Whittom moved to approve the Ahrens grant amount of \$2,382 and Evans seconded. Motion passed without discussion.

*Charles Orcutt*

Whittom moved to approve the Orcutt grant for \$2,586 and Evans seconded. Motion passed without discussion.

*Kevin Anderson*

Given the nature of the request, Evans moved to approve a grant in the amount of \$5,000 (half of the original request). Johnston seconded. Motion passed without further discussion.

*Jim Brown*

While discussing the project type (installation of big guns), Whittom moved to reconsider the motion passed on Kevin Anderson. Grindstaff seconded and the motion passed.

Too much soil erosion is caused by that particular water delivery system. Burleigh noted that NRCS did approve this particular project and perhaps we should consider their authority.

*Kevin Anderson, IdaBlack Angus Ranch, Jim Brown*

Grindstaff moved to deny three grants: Kevin Anderson, IdaBlack Angus Ranch, and Jim Brown. Whittom seconded. After some discussion, the motion and the second are withdrawn. Evans moved that the grant applications for Kevin Anderson, IdaBlack Angus Ranch, and Jim Brown be tabled pending further information and review. Johnston seconded and the motion passed. The Commission's request is that the applications be sent back to the Canyon District for more conservation information; specifically, use of "big guns" and its affect on soil erosion and water efficiency.

*John R. Wilson*

Grindstaff moved to approve the Wilson grant for \$9,250 and Whittom seconded. The grant was approved with no further discussion.

*Duckett Reeve, LLC*

Grindstaff moved to approve the grant amount of \$9,403 and Whittom seconded. Motion carried.

After further review, Grindstaff pointed out that John R. Wilson is only applying his practices to 6 acres and that is too high of a cost per acre to be reasonable. Johnston moved to rescind the approval for John R. Wilson. Evans seconded and the motion carried.

## **RCRDP Loan Application(s) Reviews**

*Patricia Englund*

Details of the Englund loan application were as follows:

Loan Amount: \$22,600

Loan Term: 5 years

Loan Rate: 3%

1st Real Estate Mortgage on 320 acres

Value of Real Estate to be established by an acceptable evaluation source

Secured equipment will be insured for the life of the loan

ISCC to secure 1st lien on equipment to be purchased

ISCC to be assigned the water rights appurtenant to the offered Real Estate

After some discussion on establishing value of property, Whittom moved to approve a loan to Englund for \$27,600 with a \$5,000 grant. Johnston seconded. Motion carried.

*RCRDP Policy Amendment*

Discussion on the Englund application prompted Johnston to move for an amendment to RCRDP policy. Johnston's proposal would require all applications offering a real estate mortgage for security include a current tax assessments for said property. Whittom seconded the motion and it carried.



*Jeff & Kelly Isham, Isham Farms, Inc.*

Details of the Isham loan application below:

Loan Amount: \$60,000

Loan Term: 15 years

Loan Rate: 5%

1st Real Estate Mortgage on 80 acres

Value of Real Estate to be established by an acceptable evaluation source

Secured equipment will be insured for the life of the loan

ISCC to secure 1st lien on equipment to be purchased

ISCC to be assigned the water rights appurtenant to the offered Real Estate

After reviewing the figures presented in the Isham's financial data sheet, Evans moved to table the loan request, citing insufficient financial information. Johnston seconded this motion and it carried.

*RCRDP Policy Amendment*

Due to the lack of clear financial data presented on the Isham application, Morgan moved that balance sheets be distributed with every application summary. Johnston seconded and the motion was approved.

*Colleen Anthony - Horse Canyon Consulting*

Thomasson presented a request for additional funding by Colleen Anthony. She reported the Anthony's project is going very well and is generating much interest both in Best Management Practices and in the loan program. The request for additional funding had previously been approved (verbally) by D. Coburn but was never formally documented or brought before the Commission for approval. Evans moved to approve the Anthony's request for \$5,000 pending an updated financial report. Johnston seconded. Motion carried.

*Kurt Nightingale*

Details of the Nightingale loan application as below:

Loan Amount: \$22,000

Loan Term: 5 years

Loan Rate: 3%

Chattel: 2003 TRX 350 ATV

Value of Chattel to be established by an acceptable evaluation source

Secured equipment will be insured for the life of the loan

ISCC to secure 1st lien on equipment to be purchased

Evans moved to deny the Nightingale application due to insufficient collateral. Johnston seconded and the motion carried.

*Brent Lundberg*

Details of the Lundberg request as follows:

Loan Amount: \$20,584

Loan Term: 5 years

Loan Rate: 3%

Chattel: 2003 6-Tower Center Pivot

Secured equipment will be insured for the life of the loan

ISCC to secure 1st lien on equipment to be purchased  
Grindstaff moved to deny Lundberg's application based on a lack of collateral and a credit rating below policy standards. Johnston seconded and the motion carried.

*Greg & Sharon Wiese*

Details of the Wiese loan application below:

Loan Amount: \$8,000

Loan Term: 5 years

Loan Rate: 3%

Chattel: 2004 wheel line & equipment

Secured equipment will be insured for the life of the loan

ISCC to secure 1st lien on equipment to be purchased

Given their extremely poor credit rating, insufficient collateral offerings, and unacceptable debt-to-income ratio, Grindstaff moved to deny the Wiese's application. Whittom seconded and the motion carried.

### **Funding Requests Revisited**

Tom moved to send letters to both requests thanking them for their requests, acknowledging that they are very valuable but due to current budgetary constraints, we cannot fulfill their requests at this time. Morgan seconded. Motion passed.

### **Cellular Phone Expenses**

Nicolescu reported that ISDA's cell phone policy stipulates maximum reimbursement per employee per month is \$40. He also noted that some months ago, ISDA administration deemed Thomasson and Ambrose were not eligible to receive reimbursement by virtue of their job titles. Since that time, both employees have been tracking their work-related calls and the associated costs, submitting expense vouchers when appropriate. Grindstaff moved that all expense incurred by work-related cellular calls made and/or received by Thomasson and Ambrose be fully reimbursed. Evans seconded the motion and it carried.

### **Aquifer Mitigation**

Nicolescu reported on a recent request from Jim Youst regarding the urgent needs of water users in the Magic Valley area. Pending lawsuits over senior and junior water rights are forcing water users to convert deep well pumping irrigation systems to surface water irrigation systems. Preliminary reports suggest loans totaling an estimated \$240,000 will be needed this spring as well as an additional \$60,000 in grant monies. The largest project is being initiated by the North Snake Groundwater District. Currently, there are 12 parties wanting to convert approximately 5,100 acres from ground to surface irrigation.

Johnston expressed some concerns about this request, given the vagueness of funding commitments and lack of documentation. Evans moved that the Commission proceed with the requested financial assistance project, provided actions taken and agreements made are well documented. Grindstaff seconded this motion and it carried.

### **Executive Session**

Johnston moved to enter Executive Session pursuant to Idaho Code § 67-2345 to discuss personnel issues. Evans seconded. Verbal roll call was obtained prior to the Commission entering into executive session: Johnston – Aye; Evans – Aye; Grindstaff – Aye; Whittom – Aye; Reid – Aye. The Commission entered Executive Session at 5:05 p.m.

With no further business to discuss, Grindstaff moved to adjourn the meeting. Evans seconded and the motion carried. Chairman Reid adjourned the meeting at 5:45 p.m.

Respectfully submitted by Jennifer Ambrose, Admin Assistant.